

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
Austin DIVISION

FILED

2012 JAN -6 PM 2:32

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BY 

Portia Alane Watson,
Plaintiff

A-11-CV-828 SS

V.


Dominique McClain-Barteet,
Defendant

Amended Complaint

Patent No. D384,495 (Plaintiff's invention was filed, in good faith, on Mar. 15, 1996 - patent issued pursuant to 35 U.S.C. 101, 102 AND 103. Only 1 claim was declared - ornamental design for a shoe with interchangeable upper element as shown - shoes had never been manufactured and/or sold in this manner.

Dominique McClain-Barteet's patent No. D575051 filed Jan. 14, 2007 - Patent issued Aug. 19, 2008. Defendant also holds several international patents in conjunction with patent No. D575051. Defendant's patent makes only 1 claim - ornamental design for shoe upper as shown. The "onesole" shoe that the defendant has been marketing and selling infringes on my patent in that it clearly uses the 1 claimed design concept set forth in my patent. Defendant has also imported shoes and components of HER "onesoles" into this country in violation of patent law 35 U.S.C. 271.

I have suffered loss of Novelty, Licensure and royalties 35 U.S.C. 284. - I am asking the Court to revoke Defendant's patent pursuant to 35 U.S.C. 101(a), 102(a)(b)(d)(e)(f) and 103 - Sec. D of 37 C.F.R. 1.56 I am also asking for compensatory damages pursuant to 35 U.S.C. 284.


Portia Alane Watson
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of (title of document) AMENDED COMPLAINT
was served by (method of delivery) CERTIFIED MAIL
on (date) JAN. 06, 2012 to:

Name: Dominique McCLAIN-BARTEET

Fax/E-Mail _____

Address: 8305 GARDEN ROAD STE.- 1-3
WEST PALM BEACH, FLA. 33404

Name: _____

Fax/E-Mail _____

Address: _____

Name: _____

Fax/E-Mail _____

Address: _____

Name: _____

Fax/E-Mail _____

Address: _____

Name: _____

Fax/E-Mail _____

Address: _____

Signed Name: Portia A. Watson

Printed Name: PORTIA ALANE WATSON